

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

Appendix A ... segment II

LRB BILL HISTORY RESEARCH APPENDIX

The drafting file for 2013 LRB-4080 (For: Governor's Office)

has been copied/added to the drafting file for

2013 LRB-4257 (For: Rep/Sen ...)

Are These "Companion Bills" ?? ... No



RESEARCH APPENDIX - **PLEASE KEEP WITH THE DRAFTING FILE**

Date Transfer Requested: 02/12/2014 (Per: TTK)

The attached draft was incorporated into the new draft listed above. For research purposes the attached materials were added, as a appendix, to the new drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-4080/P2

TKK:kjf:jf

inert
RMTIR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

in 1/28/14
wanted 1/29/14

Regen

1 AN ACT *to amend* 118.30 (1); and *to create* 15.07 (2) (fm), 15.375 (1) and 118.301
2 of the statutes; **relating to:** creating ^{a model} an academic standards board.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 15.07 (2) (fm) of the statutes is created to read:
4 15.07 (2) (fm) The state superintendent of public instruction or his or her
5 designated representative and one individual appointed under s. 15.375 (1) (a) 2.
6 shall serve as cochairpersons of the ^{model} academic standards board.

7 SECTION 2. ~~15.375 (1)~~ of the statutes is created to read: ^{a model}
8 ^{MODEL (C)} 15.375 (1) ~~ACADEMIC STANDARDS BOARD.~~ (a) There is created ^{a model} an academic
9 standards board, attached to the department of public instruction under s. 15.03, to

Pr a. One individual who shall serve as a cochairperson of the board,

or replace

- 1 make recommendations for and to review and revise model academic standards. The
2 board consists of the following members appointed for staggered 3-year terms:

3 1. The state superintendent of public instruction, or his or her designee, who
4 shall appoint the following 3 members:

5 a. One school principal.

6 b. One member of a school board. at an institution of higher education in
this state

7 c. One professor employed with the University of Wisconsin System.

8 2. The following 5 members appointed by the governor:

9 b. a. One teacher employed by a public school.

10 c. b. One teacher employed by a private school participating in the program under
11 s. 118.60 or 119.23.

12 d. c. One superintendent of a school district.

13 e. d. One individual who is a parent of a pupil enrolled in a public school.

14 e. One individual with professional training and expertise in the development
15 of instructional curriculum.

16 3. One member appointed by the senate majority leader.

17 4. One member appointed by the senate minority leader.

18 5. One member appointed by the speaker of the assembly.

19 6. One member appointed by the assembly minority leader.

20 (b) The board shall appoint subject-specific subcommittees to review, make
21 recommendations for, and propose revisions to the model academic standards
22 required under s. 118.301 (1) and (2) and (3) ✓ Each subcommittee shall consist of the
23 following members:

24 1. Two individuals with professional training and expertise in the particular
25 subject matter of the model academic standards subcommittee on which the individual

1 serves. One of the members identified under this subdivision shall be appointed by
2 the state superintendent and shall serve as ^athe chairperson of the subcommittee ^{with}
3 ~~The~~ other member identified under this subdivision ^{who} shall be appointed by the
4 governor.

5 2. The following five individuals who serve on the ^{model} academic standards board:

6 a. Two individuals appointed under par. (a) 1.

7 b. Three individuals appointed under par. (a) 2.

8 SECTION 3. 118.30 (1) of the statutes, as affected by 2013 Wisconsin Act 20, is
9 amended to read:

10 118.30 (1) The state superintendent shall adopt or approve examinations
11 designed to measure pupil attainment of knowledge and concepts in the 4th, 8th, 9th,
12 10th, and 11th grades. The examinations adopted or approved to measure pupil
13 attainment of knowledge and concepts in English, reading, and language arts;
14 mathematics and advanced mathematics; science; and social studies shall be aligned
15 with the standards adopted under s. 118.301 (1) and (2) ^{and (3)}

6
****NOTE: Do you want to qualify the extent to which the standards and
examinations must be aligned by using language such as "to the extent practicable" or
something along those lines?

****NOTE: Do you want to specify by what date (year) the standards and the
examinations must be aligned?

16 SECTION 4. 118.301 of the statutes is created to read:

17 **118.301 Model academic standards.** ^{(2) (3)} (1) (a) No later than 12 months after
18 the effective date of this paragraph [LRB inserts date], the ^{model} academic standards
19 board, through a subcommittee established under s. 15.375 (1) (b), shall submit to
20 the state superintendent and to the legislative council staff recommended ^{model} academic
21 standards in the following subject areas:

22 1. English, reading, and language arts.

Insert 3-17

1 2. Mathematics and advanced mathematics.

2 (b) 1. Within 30 days after receiving the recommended ^{model} academic standards
3 under par. (a), the state superintendent shall, taking into consideration the
4 recommendations of the ^{model} academic standards board, submit proposed model
5 academic standards in the subject areas identified under par. (a) 1. and 2. to
6 legislative council staff for review and comment. The state superintendent may
7 request from the legislative council staff one 30-day extension to complete his or her
8 review of the ^{model} academic standards submitted by the board under par. (a). If, within
9 60 days after the date on which the academic standards board submitted the
10 standards under par. (a), the legislative council staff has not received the proposed
11 model academic standards required under this subdivision, the legislative council
12 staff shall forward the ^{model} academic standards submitted by the board directly to the
13 joint committee for review of administrative rules, which joint committee shall
14 proceed as directed under subd. 4.

for review
of
administrative
rules

① If the joint committee receives
the standards under this subdivision, the

15 2. Within 20 days after receiving the proposed model academic standards under
16 subd. 1., legislative council staff shall review the proposed model academic
17 standards in the manner established under s. 227.15 (2), and shall submit, in
18 writing, comments concerning the standards to the state superintendent. The
19 legislative council staff shall include a link to the proposed model academic
20 standards on the Internet site maintained as required under s. 227.15 (1m), together
21 with the information required under that subsection.

22 3. Within 10 days after receiving comments from legislative council staff under
23 subd. 2., the state superintendent shall submit any response to the comments,
24 together with the proposed model academic standards, to the joint committee for
25 review of administrative rules.

↑ or object to the proposed standards

1 4. Within 30 days after receiving the proposed model academic standards under
 2 subd. 3., the joint committee for review of administrative rules shall either approve
 3 the ^{proposed} model academic standards or request that the state superintendent make
 4 modifications to the ^{proposed} model academic standards. The state superintendent shall
 5 adopt as final the model academic standards approved under this subdivision.

6 5. a. If the joint committee for review of administrative rules requests
 7 modifications to the model academic standards submitted under subd. 3., the state
 8 superintendent and the joint committee for review of administrative rules shall
 9 follow the procedures outlined in s. 227.19 (5) (b) 2.

10 b. ^{after requesting modifications and following the procedure under subd. 50 a. 6} If the joint committee for review of administrative rules objects to the ^{proposed} model
 11 academic standards submitted under subd. 3., the joint committee for review of
 12 administrative rules shall proceed under s. 227.19 (5) (e) to (g) and (6), except that
 13 upon the introduction of the bills under s. 227.19 (5) ^(e), the presiding officer of each
 14 house of the legislature shall not refer the bills to the appropriate committee in that
 15 house as directed under s. 227.19 (6) (b), but shall place the bill introduced in that
 16 house on the calendar of that house according to its rule governing the placement of
 17 proposals on the calendar. The state superintendent may not adopt the proposed
 18 model academic standards until a bill introduced under s. 227.19 (5) (e) fails to be
 19 enacted ^{within the timeframes specified in s. 227.19(5)(e) and (f)}.

Insert
5-20

20 (c) The model academic standards adopted under this subsection shall be
 21 aligned with the examinations administered in these subject areas under s. 118.30
 22 (1). The state superintendent may not adopt model academic standards for the
 23 subject areas under this subsection by any other means.

24 (3) (2) (a) No later than 36 months after the effective date of this paragraph
 25 [LRB inserts date], the ^{model} academic standards board, through a subcommittee

1 established under s. 15.375 (1) (b), shall submit to the state superintendent
2 recommended ^{model} academic standards in the following subject areas:

3 1. Science.

4 2. Social studies.

5 (b) The state superintendent shall initiate the procedure under sub. (1)(b) for
6 the review, consideration, and adoption of the model academic standards submitted
7 under par. (a).

8 (c) The model academic standards adopted under this subsection shall be
9 aligned with the examinations administered in these subject areas under s. 118.30

10 (1). The state superintendent may not adopt model academic standards for the
11 subject areas under this subsection by any other means.

12 (4) (3) (a) The ^{model} academic standards board may submit to the state superintendent
13 recommended ^{model} academic standards in the following subject areas:

14 1. Fine arts.

15 2. Health.

16 3. World languages.

17 4. Career and technical education.

18 5. Other subject areas identified by the board as warranting standardization. ✓

19 (b) The state superintendent shall initiate the procedure under sub. (1)(b) for
20 the review, consideration, and adoption of any ^{model} academic standards submitted under

21 par. (a). If the ^{model} academic standards board does not submit any recommended

22 ^{model} academic standards for the subject areas identified under par. (a), the state
23 superintendent may develop ^{and adopt as final, and} and revise model academic standards for those subject

24 areas.

without following the procedure under sub (2)(b) ✓

****NOTE: It was not clear from your instructions whether, in the event that the board does not propose academic standards for these optional subject areas and DPI does so on its own, DPI would be required to proceed with the modified JCRAR process as required under sub. (1) (b). This draft does not directly address that point, so please let me know how you would like me to proceed.

(1) (5) (4) The ^{model} academic standards board, legislative council staff, state superintendent, and joint committee for review of administrative rules shall, in preparing, reviewing, modifying, and adopting the model academic standards required under this section, do all of the following:

(a) Ensure that the model academic standards do not prescribe curricula to be adopted by school boards.

(b) Ensure that the model academic standards establish, in a manner that is clear to pupils, parents, and the general public, high expectations for the knowledge and skills pupils must attain and master at each of the 12 grades.

****NOTE: Your drafting instructions included the term, "local policy makers." I don't believe this term is entirely clear. I substituted general public, which would include both "local policy makers" and others who would be expected to influence policy (such as chambers of commerce, civic groups, taxpayers, and local businesses). Okay?

****NOTE: Your drafting instructions requested that I include a statement to the effect of "The state of Wisconsin has the sole authority to adopt model academic standards and shall oppose any efforts by the federal government to coerce states or local school boards to adopt any specific set of academic standards." This is a policy statement. Generally, LRB policy discourages the use of policy statements unless there is a question about the constitutionality of the provision being addressed by the policy statement. For that reason, I did not include this statement. Let me know if you wish to discuss this further.

(10) (c) Ensure that the model academic standards adopted under this ^{section} subsection are aligned with the examinations administered in these subject areas under s. 118.30 (1). The state superintendent may not adopt model academic standards for the subject areas under this subsection by any other means.

****NOTE: Do you want to modify (or repeal) s. 118.30 (1g), which requires school boards to adopt the academic standards and permits school boards to adopt the standards adopted by DPI in 1998?

****NOTE: Under s. 118.30 (1g), there are five subject areas: mathematics, science, reading and writing, geography, and history. I suspect social studies comprises the two subjects, geography, and history? Do you want to reconcile this vocabulary in some way?

(a) ⁸ (6) ¹ The ^{model} academic standards board, through the subcommittees established under s. 15.375 (1) (b), shall review and make recommendations for the updating of ⁵⁹ the model academic standards required to be adopted under sub. ^{and (3)} (1) and (2) and any model academic standards permitted and adopted under sub. (3) at least once every 6 years. ^{to be recommended by the board, recommended by the board, and (4) ✓}

Insert
8-6

SECTION 5. Nonstatutory provisions.

(1) Notwithstanding section 15.375 (1) of the statutes, as created by this act, the initial members appointed to the ^{model} academic standards board under section 15.375 (1) of the statutes, as created by this act, shall be appointed as follows:

(a) One member appointed under section 15.375 (1) (a) 1. of the statutes, as created by this act, shall be appointed for a term expiring on May 1, 2015, and 2 members shall be appointed for a term expiring on May 1, 2016.

(b) Two members under section 15.375 (1) (a) 2. of the statutes, as created by this act, shall be appointed for a term expiring on May 1, 2015, 2 members shall be appointed for a term expiring on May 1, 2016, and one member shall be appointed for a term expiring on May 1, 2017.

(c) The member under section 15.375 (1) (a) 3. of the statutes, as created by this act, shall be appointed for a term expiring on May 1, 2018.

(d) The member under section 15.375 (1) (a) 4. of the statutes, as created by this act, shall be appointed for a term expiring on May 1, 2017.

(e) The member under section 15.375 (1) (a) 5. of the statutes, as created by this act, shall be appointed for a term expiring on May 1, 2016.

(f) The member under section 15.375 (1) (a) 6. of the statutes, as created by this act, shall be appointed for a term expiring on May 1, 2015.

(END)

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4080/P3ins
TKK:kjfjm

INSERT 3-17

1 (1) The legislature finds that the state of Wisconsin has the sole authority to
2 adopt model academic standards. The legislature shall oppose any efforts by the
3 federal government to coerce this state and the school boards of the school districts
4 of this state into adopting any specific set of academic standards.

INSERT 5-20

5 6. The state superintendent shall adopt as final the model academic standards
6 approved under this paragraph. ✓

INSERT 8-6

7 (b) The state superintendent may periodically review and revise any standards
8 developed and adopted as final by the state superintendent under sub. (4) (b) 2. ✓

9 (c) Each school board, operator of a charter school under s. 118.40 (2r), and ✓
10 governing body of a private school participating in a program under s. 118.60 or
11 119.23 ✓ may adopt the pupil academic standards approved under this section ✓ to
12 supplement or replace the standards adopted under s. 118.30 (1g) (a). ✓

Kuczenski, Tracy

From: Koschnick, Katherine E - GOV <Katherine.Koschnick@wisconsin.gov>
Sent: Wednesday, January 29, 2014 9:01 AM
To: Kuczenski, Tracy; Hoelter, Jon - GOV
Subject: RE: Draft review: LRB -4080/P2 Topic: Model Academic Standards
Attachments: Common Core Bill Language.docx

Hi Tracy,

We have decided to make some changes again to the process that the legislature would use if the JCRAR would object to the standards submitted by the state superintendent. Attached I have copy and pasted the wording from 118.301(4)-(5)(b) and changed the language to reflect our desired changes. Please let us know what you think of this language.

Thank you!

Katie Koschnick | Deputy Legal Counsel | Office of Governor Scott Walker
608-264-6329

From: Kuczenski, Tracy [mailto:Tracy.Kuczenski@legis.wisconsin.gov]
Sent: Tuesday, January 28, 2014 9:00 AM
To: Hoelter, Jon - GOV
Cc: Polzin, Cindy M - GOV; Koschnick, Katherine E - GOV
Subject: RE: Draft review: LRB -4080/P2 Topic: Model Academic Standards

Okay, thanks for clarifying. I'll speak with Steve as soon as he is in.

Tracy

Tracy K. Kuczenski
Senior Legislative Attorney
Wisconsin Legislative Reference Bureau
tracy.kuczenski@legis.wisconsin.gov
(608) 266-9867

From: Hoelter, Jon - GOV [mailto:Jon.Hoelter@wisconsin.gov]
Sent: Tuesday, January 28, 2014 8:47 AM
To: Kuczenski, Tracy
Cc: Polzin, Cindy M - GOV; Koschnick, Katherine E - DSPS
Subject: RE: Draft review: LRB -4080/P2 Topic: Model Academic Standards

Thanks Tracy, we do not intend to penalize a party for acting/not acting. We merely intend to clarify Wisconsin's authority in matters of education. We would prefer to have this appear at the front rather than be nonstatutory language at the back, so please check with Mr. Miller on how we may include it as a policy or intent statement.

Thanks,

-Jon

From: Kuczenski, Tracy [mailto:Tracy.Kuczenski@legis.wisconsin.gov]
Sent: Monday, January 27, 2014 6:45 PM
To: Hoelter, Jon - GOV

118.301

4. Within 30 days after receiving the proposed model academic standards under subd. 3., the joint committee for review of administrative rules shall either approve the model academic standards or request that the state superintendent make modifications to the model academic standards object. The state superintendent shall adopt as final the model academic standards approved under this subdivision.

5. a. If the joint committee for review of administrative rules requests modifications to the model academic standards submitted under subd. 3., the state superintendent and the joint committee for review of administrative rules shall follow the procedures outlined in s. 227.19 (5) (b) 2. If the joint committee for review of administrative rules approves the model academic standards submitted under subd. 3., the state superintendent shall adopt as final the model academic standards.

b. If the joint committee for review of administrative rules objects to the model academic standards submitted under subd. 3., the joint committee for review of administrative rules shall proceed promulgate as a bill the model academic standards proposed by the academic standards board under s. 227.19 (5) (e) to (g) and (6) (b), except that upon the introduction of the bills under s. 227.19 (5), the presiding officer of each house of the legislature shall not refer the bills to the appropriate committee in that house as directed under s. 227.19 (6) (b), but shall place the bill introduced in that house on the calendar of that house according to its rule governing the placement of proposals on the calendar. The state superintendent may not adopt the proposed model academic standards until a bill introduced under s. 227.19 (5) (e) fails to be enacted.

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Kuczenski, Tracy

From: Hoelter, Jon - GOV <Jon.Hoelter@wisconsin.gov>
Sent: Friday, January 31, 2014 3:21 PM
To: Kuczenski, Tracy
Subject: RE: Draft review: LRB -4080/P2 Topic: Model Academic Standards

Hi Tracy,
Per our discussion, just a few edits.

1. Clarify the legislative appointments do not need to be legislators.
2. Remove the 2 references that say the superintendent may not adopt model academic standards by any other means.
3. Make sure the language says the examinations shall align to the standards; not the other way around.

...also...I realized I didn't tell you about some changes to the subcommittees.

We're keeping them 7 members with cochair appointed by the Governor and Superintendent but we're adding the following:

1. Each cochair shall make a list of no more than 5 recommendations to serve on each subcommittee
2. The full board shall fill the remaining 5 subcommittee members from those members on that list (keeping it 3 members gov; 2 members superintendent).
3. Each subcommittee may have up to 4 additional, non-voting members who are experts in the subject area of the subcommittee.

From: Kuczenski, Tracy [mailto:Tracy.Kuczenski@legis.wisconsin.gov]
Sent: Wednesday, January 29, 2014 9:04 AM
To: Koschnick, Katherine E - GOV
Cc: Hoelter, Jon - GOV
Subject: RE: Draft review: LRB -4080/P2 Topic: Model Academic Standards

Oops – Forgot to copy Jon.

Tracy K. Kuczenski
Senior Legislative Attorney
Wisconsin Legislative Reference Bureau
tracy.kuczenski@legis.wisconsin.gov
(608) 266-9867

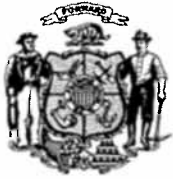
From: Kuczenski, Tracy
Sent: Wednesday, January 29, 2014 9:04 AM
To: Koschnick, Katherine E - DSPS
Subject: RE: Draft review: LRB -4080/P2 Topic: Model Academic Standards

Hi Katie –

I think this language looks good. The bill, however, is in editing right now.

Unless you object, I think it would be simpler to wait to make these changes until it is through (later this morning). That way, if any other changes are needed for the next draft, we can do them all at once.

Okay?



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-4080/PS-4

TKK:kjf:jm

d. note
insert

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

in 2/2/14

waived 2/3/14

Regen

- 1 AN ACT *to amend* 118.30 (1); and *to create* 15.07 (2) (fm), 15.375 (1) and 118.301
2 of the statutes; **relating to:** creating a model academic standards board.

Insert
Analysis

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 SECTION 1. 15.07 (2) (fm) of the statutes is created to read:
4 15.07 (2) (fm) The state superintendent of public instruction or his or her
5 designated representative and one individual appointed under s. 15.375 (1) (a) 2.
6 shall serve as cochairpersons of the model academic standards board.
7 SECTION 2. 15.375 (1) of the statutes is created to read:
8 15.375 (1) MODEL ACADEMIC STANDARDS BOARD. (a) There is created a model
9 academic standards board, attached to the department of public instruction under

1 s. 15.03, to make recommendations for and to review and revise or replace model
2 academic standards. The board consists of the following members appointed for
3 staggered 3-year terms:

4 1. The state superintendent of public instruction, or his or her designee, who
5 ~~shall~~ ^{serve as a cochairperson of the board and who shall} appoint the following 3 members:

6 a. One school principal.

7 b. One member of a school board.

8 c. One professor employed at an institution of higher education in this state.

9 2. The following 5 members appointed by the governor:

10 a. One individual who shall serve as a cochairperson of the board.

11 b. One teacher employed by a public school.

12 c. One teacher employed by a private school participating in ^a the program under

13 s. 118.60 or 119.23.

14 d. One superintendent of a school district.

15 e. One individual who is a parent of a pupil enrolled in a public school.

16 3. One ^{an individual} ~~member~~ appointed by the senate majority leader ^{who need not be a member of the senate}

17 4. One ^{an individual} ~~member~~ appointed by the senate minority leader ^{who need not be a member of the senate}

18 5. One ^{an individual} ~~member~~ appointed by the speaker of the assembly ^{who need not be a member of the assembly}

19 6. One ^{an individual} ~~member~~ appointed by the assembly minority leader ^{who need not be a member of the assembly}

20 (b) The board shall appoint subject-specific subcommittees to review, make

21 recommendations for, and propose revisions to the model academic standards

22 required under s. 118.301 (2) and (3). Each subcommittee shall consist of the

23 following members:

24 1. Two individuals with professional training and expertise in the particular

25 subject matter of the model academic standards subcommittee on which the

Insert 2-24

1 individual serves. One of the members identified under this subdivision shall be
2 appointed by the state superintendent and shall serve as a cochairperson of the
3 subcommittee with the other member identified under this subdivision, who shall be
4 appointed by the governor.

5 3. ~~2.~~ The following five individuals who serve on the model academic standards

6 board

7 a. Two individuals appointed under par. (a)1. ^{selected from the list} ~~subd.~~

8 b. Three individuals appointed under par. (a)2. ^{selected from the list} ~~subd.~~

Insert
3-9

9 SECTION 3. 118.30 (1) of the statutes, as affected by 2013 Wisconsin Act 20, is
10 amended to read:

11 118.30 (1) The state superintendent shall adopt or approve examinations
12 designed to measure pupil attainment of knowledge and concepts in the 4th, 8th, 9th,
13 10th, and 11th grades. The examinations adopted or approved to measure pupil
14 attainment of knowledge and concepts in English, reading, and language arts;
15 mathematics and advanced mathematics; science; and social studies shall be aligned
16 with the standards adopted under s. 118.301 (2) and (3).

17 SECTION 4. 118.301 of the statutes is created to read:

18 **118.301 Model academic standards.** (1) The legislature finds that the state
19 of Wisconsin has the sole authority to adopt model academic standards. The
20 legislature shall oppose any efforts by the federal government to coerce this state and
21 the school boards of the school districts of this state into adopting any specific set of
22 academic standards.

23 (2) (a) No later than 12 months after the effective date of this paragraph
24 [LRB inserts date], the model academic standards board, through a subcommittee
25 established under s. 15.375 (1) (b), shall submit to the state superintendent and to

1 the legislative council staff recommended model academic standards in the following
2 subject areas:

3 1. English, reading, and language arts.

4 2. Mathematics and advanced mathematics.

5 (b) 1. Within 30 days after receiving the recommended model academic
6 standards under par. (a), the state superintendent shall, taking into consideration
7 the recommendations of the model academic standards board, submit proposed
8 model academic standards in the subject areas identified under par. (a) 1. and 2. to
9 legislative council staff for review and comment. The state superintendent may
10 request from the legislative council staff one 30-day extension to complete his or her
11 review of the model academic standards submitted by the board under par. (a). If,
12 within 60 days after the date on which the board submitted the standards under par.
13 (a), the legislative council staff has not received the proposed model academic
14 standards required under this subdivision, the legislative council staff shall forward
15 the model academic standards submitted by the board directly to the joint committee
16 for review of administrative rules. If the joint committee for review of administrative
17 rules receives the standards under this subdivision, the joint committee shall
18 proceed as directed under subd. 4.

19 2. Within 20 days after receiving the proposed model academic standards under
20 subd. 1., legislative council staff shall review the proposed model academic
21 standards in the manner established under s. 227.15 (2), and shall submit, in
22 writing, comments concerning the standards to the state superintendent. The
23 legislative council staff shall include a link to the proposed model academic
24 standards on the Internet site maintained as required under s. 227.15 (1m), together
25 with the information required under that subsection.

3. Within 10 days after receiving comments from legislative council staff under subd. 2., the state superintendent shall submit any response to the comments, together with the proposed model academic standards, to the joint committee for review of administrative rules.

4. Within 30 days after receiving the proposed model academic standards under subd. 3., the joint committee for review of administrative rules shall either approve the proposed model academic standards, request that the state superintendent make modifications to the proposed standards, or object to the proposed standards.

5. a. If the joint committee for review of administrative rules ~~requests~~ ^{approves} modifications to the model academic standards submitted under subd. 3., the state superintendent and the joint committee for review of administrative rules shall follow the procedures outlined in s. 227.19 (5) (b) 2.

b. If, after requesting modifications and following the procedure under subd.

5. a., the joint committee for review of administrative rules objects to the proposed model academic standards submitted under subd. 3., the joint committee for review

of administrative rules shall ~~proceed~~ ^(b) under s. 227.19 (5) (e) to (g) and (6), except that

upon the introduction of the bills under s. 227.19 (5) (e), the presiding officer of each

house of the legislature shall not refer the bills to the appropriate committee in that

house as directed under s. 227.19 (6) (b), but shall place the bill introduced in that

house on the calendar of that house according to its rule governing the placement of

proposals on the calendar. The state superintendent may not adopt the proposed

model academic standards until a bill introduced under s. 227.19 (5) (e) fails to be

enacted within the timeframes specified in s. 227.19 (5) (e) and (f). ^{subd 50 and 50a}

6. The state superintendent shall adopt as final the model academic standards

approved under this paragraph. ^{subd 50 a0 or enacted under subd. 5. 60} except

prepare the model academic standards as a bill and introduce the bill in each house as provided

shall
proceed
under
subd 6

6 1 (c) The model academic standards adopted under this subsection shall be
2 aligned with the examinations administered in these subject areas under s. 118.30

3 (1). The state superintendent may not adopt model academic standards for the
4 subject areas under this subsection by any other means.

5 (3) (a) No later than 36 months after the effective date of this paragraph
6 [LRB inserts date], the model academic standards board, through a subcommittee
7 established under s. 15.375 (1) (b), shall submit to the state superintendent
8 recommended model academic standards in the following subject areas:

9 1. Science.

10 2. Social studies.

11 (b) The state superintendent shall initiate the procedure under sub. (2) (b) for
12 the review, consideration, and adoption of the model academic standards submitted
13 under par. (a).

6 14 (c) The model academic standards adopted under this subsection shall be
15 aligned with the examinations administered in these subject areas under s. 118.30

16 (1). The state superintendent may not adopt model academic standards for the
17 subject areas under this subsection by any other means.

18 (4) (a) The model academic standards board may submit to the state
19 superintendent recommended model academic standards in the following subject
20 areas:

21 1. Fine arts.

22 2. Health.

23 3. World languages.

24 4. Career and technical education.

25 5. Other subject areas identified by the board as warranting standardization.

1 (b) 1. The state superintendent shall initiate the procedure under sub. (2) (b)
2 for the review, consideration, and adoption of any model academic standards
3 submitted under par. (a).

4 2. If the model academic standards board does not submit any recommended
5 model academic standards for the subject areas identified under par. (a), the state
6 superintendent may develop, adopt as final, and revise model academic standards
7 for those subject areas without following the procedure under sub. (2) (b).

8 (5) The model academic standards board, legislative council staff, state
9 superintendent, and joint committee for review of administrative rules shall, in
10 preparing, reviewing, modifying, and adopting the model academic standards
11 required under this section, do all of the following:

12 (a) Ensure that the model academic standards do not prescribe curricula to be
13 adopted by school boards.

14 (b) Ensure that the model academic standards establish, in a manner that is
15 clear to pupils, parents, and the general public, high expectations for the knowledge
16 and skills pupils must attain and master at each of the 12 grades.

17 (c) Ensure that the model academic standards adopted under this section are
18 aligned with the examinations administered in these subject areas under s. 118.30
19 (1).

20 (6) (a) The model academic standards board, through the subcommittees
21 established under s. 15.375 (1) (b), shall review and make recommendations for the
22 updating of the model academic standards required to be adopted under subs. (2) and
23 (3) and any model academic standards permitted to be recommended by the board,
24 recommended by the board, and adopted under sub. (4) at least once every 6 years.

1 (b) The state superintendent may periodically review and revise any standards
2 developed and adopted as final by the state superintendent under sub. (4) (b) 2.

3 (c) Each school board, operator of a charter school under s. 118.40 (2r), and
4 governing body of a private school participating in a program under s. 118.60 or
5 119.23 may adopt the pupil academic standards approved under this section to
6 supplement or replace the standards adopted under s. 118.30 (1g) (a).

7 **SECTION 5. Nonstatutory provisions.**

8 (1) Notwithstanding section 15.375 (1) of the statutes, as created by this act,
9 the initial members appointed to the model academic standards board under section
10 15.375 (1) of the statutes, as created by this act, shall be appointed as follows:

11 (a) One member appointed under section 15.375 (1) (a) 1. of the statutes, as
12 created by this act, shall be appointed for a term expiring on May 1, 2015, and 2
13 members shall be appointed for a term expiring on May 1, 2016.

14 (b) Two members under section 15.375 (1) (a) 2. of the statutes, as created by
15 this act, shall be appointed for a term expiring on May 1, 2015, 2 members shall be
16 appointed for a term expiring on May 1, 2016, and one member shall be appointed
17 for a term expiring on May 1, 2017.

18 (c) The member under section 15.375 (1) (a) 3. of the statutes, as created by this
19 act, shall be appointed for a term expiring on May 1, 2018.

20 (d) The member under section 15.375 (1) (a) 4. of the statutes, as created by this
21 act, shall be appointed for a term expiring on May 1, 2017.

22 (e) The member under section 15.375 (1) (a) 5. of the statutes, as created by this
23 act, shall be appointed for a term expiring on May 1, 2016.

1 (f) The member under section 15.375 (1) (a) 6. of the statutes, as created by this
2 act, shall be appointed for a term expiring on May 1, 2015.

3 (END)

O-Net

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4080/P3ins
TKK:kjf:jm

*Department of
Public Instruction*

INSERT ANALYSIS

MODEL ACADEMIC STANDARDS

Y The 2013-15 biennial budget act (2013 Wisconsin Act 20) prohibits the ~~(DPI)~~ from taking any further action to implement the common core standards (educational standards developed for kindergarten to grade 12 by the Common Core State Standards Initiative) and from directing school districts to implement further standards until certain conditions have been satisfied. Act 20 provides that any common core standard adopted and implemented by ~~the Department of Public Instruction (DPI)~~ before July 1, 2013, remains in effect and requires DPI to adopt additional college and career readiness standards no later than July 1, 2014.

X This bill requires DPI to adopt state standards only after those standards have been developed and approved by the Model Academic Standards Board.

MODEL ACADEMIC STANDARDS BOARD

The bill creates a Model Academic Standards Board in DPI which comprises the following members: the state superintendent of public instruction, or his or her designee, who serves as cochairperson and who must appoint three members; five members appointed by the governor, one of whom is to serve as cochairperson; one member appointed by each of the senate majority and minority leaders; one member appointed by the speaker of the assembly; and one member appointed by the assembly minority leader. The members appointed by the state superintendent must include a school principal, a member of a school board, and one professor employed at an institution of higher education in this state. The members appointed by the governor must include one teacher employed by a public school, one teacher employed by a private school participating in a parental choice program, one superintendent of a school district, and one individual who is a parent of a pupil enrolled in a public school.

Under the bill, the board is charged with developing model academic standards in four discrete subject areas: 1) English, reading, and language arts; 2) mathematics and advanced mathematics; 3) science; and 4) social studies. To further this objective, the bill requires the board to appoint subject-specific subcommittees in the four subject areas.

X The bill requires the board to submit proposed model academic standards in English, reading, and language arts and in mathematics and advanced mathematics to the state superintendent within 12 months of the enactment of the bill. The bill requires the board to submit proposed model academic standards in science and social studies to the state superintendent within 36 months of the enactment of the bill. In addition, the bill permits, but does not require, the board to submit to the state superintendent proposed model academic standards in additional subject areas, including fine arts and career and technical education. a

X Under the bill, after the board has submitted its proposed model academic standards to the state superintendent, DPI must, taking into consideration the academic standards submitted by the board, submit its own proposed model

*The Joint Committee for
Review of Administrative Rules*

X academic standards first to the legislative council staff for review and comment and then to JCRAR. JCRAR must either approve the proposed model academic standards or object to the proposed standards. If JCRAR approves the model academic standards, the state superintendent must adopt the model academic standards. If JCRAR objects to the proposed model academic standards, JCRAR must prepare model academic standards for introduction in both the Senate and Assembly.

X The bill also requires the board to review and update each model academic standard at least once every six years. Finally, the bill requires the board, together with legislative council staff, the state superintendent, and the ~~Joint Committee for Review of Administrative Rules (JCRAR)~~ to: 1) ensure that the model academic standards do not prescribe curricula to be adopted by school boards, and 2) ensure that the standards establish, in a manner that is clear to pupils, parents, and the general public, high expectations for the knowledge and skills pupils must attain and master at each of the 12 grades.

INSERT 2-24

1 1. One individual appointed by the state superintendent who shall serve as a
2 cochairperson of the subcommittee with the individual appointed under subd. 2. The
3 individual appointed under this subdivision shall prepare a list containing the
4 names of not more than 5 persons for consideration by the board as provided under
5 subd. 3. a.

6 2. One individual appointed by the governor who shall serve as a cochairperson
7 of the subcommittee with the person appointed under subd. 1. The individual
8 appointed under this subdivision shall prepare a list containing the names of not
9 more than 5 persons for consideration by the board as provided under subd. 3. b.

INSERT 3-9

10 (c) The board may appoint up to 4 additional non-voting members to each
11 subject-specific subcommittee established under par. (b). The members appointed
12 under this paragraph shall have professional training and expertise in the particular
13 subject matter of the model academic standards subcommittee on which the
14 individual serves.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4080/P3dn
TKK:kjf:jm

Date

Jon Hoelter:

I have four questions on this iteration of the draft:

1. Do you want members of the Model Academic Standards Board to be paid a per diem in addition to any payment received for expenses? See s. 5.07 (5). ¹
2. Your drafting instructions pointed out that in several places the draft erroneously required that the model academic standards align with the examinations administered to pupils under s. 118.30 (rather than the other way around). This problematic language appeared on page 6, lines 1-2 and 14-15, and on page 7, lines 17-19. I eliminated this language entirely; the amendment to s. 118.30 (1) accurately requires the examinations to be aligned with the standards. Okay?
- X 3. I have incorporated Katherine's instructions regarding the modified JCRAR process into proposed s. 118.301 (2) (b) 5. b. However, I don't believe it is clear in this subdivision paragraph which model academic standards JCRAR will prepare as a bill for introduction in the two houses.

I am assuming that JCRAR has objected to DPI's proposed model academic standards because they are either not the standards proposed by the board or too widely vary from those standards. I am also assuming that, in place of the standards proposed by DPI, JCRAR will prepare as a bill for introduction the standards proposed by the board. Are these two assumptions correct? If so, I believe the bill should make these points clear. If not, then I will need additional information about the standards to be introduced in each house.

4. Given that this bill establishes a timeline for the adoption of new academic standards that may conflict with the timeline enacted under (the nonstatutory provisions of) Act 20, I believe it would be appropriate to amend the nonstatutory provisions (specifically section 9134 (2q) (f) 1. and 2.). Do you agree?

Tracy K. Kuczenski
Senior Legislative Attorney
Phone: (608) 266-9867
E-mail: tracy.kuczenski@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4080/P4dn
TKK:kjf:rs

February 3, 2014

Jon Hoelter:

I have four questions on this iteration of the draft:

1. Do you want members of the Model Academic Standards Board to be paid a per diem in addition to any payment received for expenses? See s. 15.07 (5).
2. Your drafting instructions pointed out that in several places the draft erroneously required that the model academic standards align with the examinations administered to pupils under s. 118.30 (rather than the other way around). This problematic language appeared on page 6, lines 1-2 and 14-15, and on page 7, lines 17-19. I eliminated this language entirely; the amendment to s. 118.30 (1) accurately requires the examinations to be aligned with the standards. Okay?
3. I have incorporated Katherine's instructions regarding the modified JCRAR process into proposed s. 118.301 (2) (b) 5. b. However, I don't believe it is clear in this subdivision paragraph which model academic standards JCRAR will prepare as a bill for introduction in the two houses.

I am assuming that JCRAR has objected to DPI's proposed model academic standards because they are either not the standards proposed by the board or too widely vary from those standards. I am also assuming that, in place of the standards proposed by DPI, JCRAR will prepare as a bill for introduction the standards proposed by the board. Are these two assumptions correct? If so, I believe the bill should make these points clear. If not, then I will need additional information about the standards to be introduced in each house.

4. Given that this bill establishes a timeline for the adoption of new academic standards that may conflict with the timeline enacted under (the nonstatutory provisions of) Act 20, I believe it would be appropriate to amend the nonstatutory provisions (specifically section 9134 (2q) (f) 1. and 2.). Do you agree?

Tracy K. Kuczenski
Senior Legislative Attorney
Phone: (608) 266-9867
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Kuczenski, Tracy

From: Hoelter, Jon - GOV <Jon.Hoelter@wisconsin.gov>
Sent: Wednesday, February 05, 2014 6:09 PM
To: Kuczenski, Tracy
Subject: RE: Draft review: LRB -4080/P4 Topic: Model Academic Standards

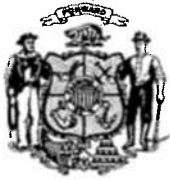
Hi Tracy,

We'd like to have a jacketed copy ready to go tomorrow morning. Per your drafting questions, here are some answers:

1. No for Per Diem. Just expenses (which I believe amounts to travel reimbursements, correct?)
2. This looks OK.
3. How about we clarify by inserting on page 7, line 9 after standards, "as approved by the Model Academic Standards Board," to direct that the bill should be the recommendations of that board.
4. Since the bill is silent on what happens with standards until the process plays out, and the process isn't going to play out until after that date, we do not feel this is an issue and will leave this be.

From: LRB.Legal [<mailto:lrblegal@legis.wisconsin.gov>]
Sent: Monday, February 03, 2014 3:18 PM
To: Hoelter, Jon - GOV
Subject: Draft review: LRB -4080/P4 Topic: Model Academic Standards

Following is the PDF version of draft LRB -4080/P4 and drafter's note.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-4080/P4 /

TKK:kjfrs

RMMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

in 2/6/14

wanted this AM

(changes on this page, page 2, and p. 7)

Regen

- 1 AN ACT *to amend* 118.30 (1); and *to create* 15.07 (2) (fm), 15.375 (1) and 118.301
2 of the statutes; **relating to:** creating a model academic standards board.

Analysis by the Legislative Reference Bureau

MODEL ACADEMIC STANDARDS

The 2013-15 biennial budget act (2013 Wisconsin Act 20) prohibits the Department of Public Instruction (DPI) from taking any further action to implement the common core standards (educational standards developed for kindergarten to grade 12 by the Common Core State Standards Initiative) and from directing school districts to implement further standards until certain conditions have been satisfied. Act 20 provides that any common core standard adopted and implemented by DPI before July 1, 2013, remains in effect and requires DPI to adopt additional college and career readiness standards no later than July 1, 2014.

This bill requires DPI to adopt state standards only after those standards have been developed and approved by the Model Academic Standards Board.

MODEL ACADEMIC STANDARDS BOARD

- X The bill creates a Model Academic Standards Board in DPI which comprises the following members: the state superintendent of public instruction, or his or her designee, who serves as cochairperson and who must appoint three members; five members appointed by the governor, one of whom is to serve as cochairperson; one member appointed by each of the senate majority and minority leaders; one member appointed by the speaker of the assembly; and one member appointed by the assembly minority leader. The members appointed by the state superintendent must include a school principal, a member of a school board, and one professor

employed at an institution of higher education in this state. The members appointed by the governor must include one teacher employed by a public school, one teacher employed by a private school participating in a parental choice program, one superintendent of a school district, and one individual who is a parent of a pupil enrolled in a public school.

Under the bill, the board is charged with developing model academic standards in four discrete subject areas: 1) English, reading, and language arts; 2) mathematics and advanced mathematics; 3) science; and 4) social studies. To further this objective, the bill requires the board to appoint subject-specific subcommittees in the four subject areas.

The bill requires the board to submit proposed model academic standards in English, reading, and language arts and in mathematics and advanced mathematics to the state superintendent within 12 months of the enactment of the bill. The bill requires the board to submit proposed model academic standards in science and social studies to the state superintendent within 36 months of the enactment of the bill. In addition, the bill permits, but does not require, the board to submit to the state superintendent proposed model academic standards in additional subject areas, including fine arts and career and technical education.

Under the bill, after the board has submitted its proposed model academic standards to the state superintendent, DPI must, taking into consideration the academic standards submitted by the board, submit its own proposed model academic standards first to the legislative council staff for review and comment and then to the Joint Committee for Review of Administrative Rules (JCRAR). JCRAR must either approve the proposed model academic standards or object to the proposed standards. If JCRAR approves the model academic standards, the state superintendent must adopt the model academic standards. If JCRAR objects to the proposed model academic standards, JCRAR must prepare ^{the proposed} model academic standards for introduction in both the senate and assembly.

The bill also requires the board to review and update each model academic standard at least once every six years. Finally, the bill requires the board, together with legislative council staff, the state superintendent, and JCRAR to: 1) ensure that the model academic standards do not prescribe curricula to be adopted by school boards; and 2) ensure that the standards establish, in a manner that is clear to pupils, parents, and the general public, high expectations for the knowledge and skills pupils must attain and master at each of the 12 grades.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1

SECTION 1. 15.07 (2) (fm) of the statutes is created to read:

Submitted by the board

1 15.07 (2) (fm) The state superintendent of public instruction or his or her
2 designated representative and one individual appointed under s. 15.375 (1) (a) 2.
3 shall serve as cochairpersons of the model academic standards board.

4 **SECTION 2.** 15.375 (1) of the statutes is created[✓] to read:

5 ~~15.375 (1)~~ MODEL ACADEMIC STANDARDS BOARD. (a) There is created a model
6 academic standards board, attached to the department of public instruction under
7 s. 15.03, to make recommendations for and to review and revise or replace model
8 academic standards. The board consists of the following members appointed for
9 staggered 3-year terms:

10 1. The state superintendent of public instruction, or his or her designee, who
11 shall serve as a cochairperson of the board and who shall appoint the following 3
12 members:

13 a. One school principal.

14 b. One member of a school board.

15 c. One professor employed at an institution of higher education in this state.

16 2. The following 5 members appointed by the governor:

17 a. One individual who shall serve as a cochairperson of the board.

18 b. One teacher employed by a public school.

19 c. One teacher employed by a private school participating in a program under
20 s. 118.60 or 119.23.

21 d. One superintendent of a school district.

22 e. One individual who is a parent of a pupil enrolled in a public school.

23 3. One individual appointed by the senate majority leader, who need not be a
24 member of the senate.

1 4. One individual appointed by the senate minority leader, who need not be a
2 member of the senate.

3 5. One individual appointed by the speaker of the assembly, who need not be
4 a member of the assembly.

5 6. One individual appointed by the assembly minority leader, who need not be
6 a member of the assembly.

7 (b) The board shall appoint subject-specific subcommittees to review, make
8 recommendations for, and propose revisions to the model academic standards
9 required under s. 118.301 (2) and (3). Each subcommittee shall consist of the
10 following members:

11 1. One individual appointed by the state superintendent who shall serve as a
12 cochairperson of the subcommittee with the individual appointed under subd. 2. The
13 individual appointed under this subdivision shall prepare a list containing the
14 names of not more than 5 persons for consideration by the board as provided under
15 subd. 3. a.

16 2. One individual appointed by the governor who shall serve as a cochairperson
17 of the subcommittee with the person appointed under subd. 1. The individual
18 appointed under this subdivision shall prepare a list containing the names of not
19 more than 5 persons for consideration by the board as provided under subd. 3. b.

20 3. The following five individuals:

21 a. Two individuals selected from the list under subd. 1.

22 b. Three individuals selected from the list under subd. 2.

23 (c) The board may appoint up to 4 additional nonvoting members to each
24 subject-specific subcommittee established under par. (b). The members appointed
25 under this paragraph shall have professional training and expertise in the particular

1 subject matter of the model academic standards subcommittee on which the
2 individual serves.

3 **SECTION 3.** 118.30 (1) of the statutes, as affected by 2013 Wisconsin Act 20, is
4 amended to read:

5 118.30 (1) The state superintendent shall adopt or approve examinations
6 designed to measure pupil attainment of knowledge and concepts in the 4th, 8th, 9th,
7 10th, and 11th grades. The examinations adopted or approved to measure pupil
8 attainment of knowledge and concepts in English, reading, and language arts;
9 mathematics and advanced mathematics; science; and social studies shall be aligned
10 with the standards adopted under s. 118.301 (2) and (3).

11 **SECTION 4.** 118.301 of the statutes is created to read:

12 **118.301 Model academic standards.** (1) The legislature finds that the state
13 of Wisconsin has the sole authority to adopt model academic standards. The
14 legislature shall oppose any efforts by the federal government to coerce this state and
15 the school boards of the school districts of this state into adopting any specific set of
16 academic standards.

17 (2) (a) No later than 12 months after the effective date of this paragraph
18 [LRB inserts date], the model academic standards board, through a subcommittee
19 established under s. 15.375 (1) (b), shall submit to the state superintendent and to
20 the legislative council staff recommended model academic standards in the following
21 subject areas:

22 1. English, reading, and language arts.

23 2. Mathematics and advanced mathematics.

24 (b) 1. Within 30 days after receiving the recommended model academic
25 standards under par. (a), the state superintendent shall, taking into consideration

1 the recommendations of the model academic standards board, submit proposed
2 model academic standards in the subject areas identified under par. (a) 1. and 2. to
3 legislative council staff for review and comment. The state superintendent may
4 request from the legislative council staff one 30-day extension to complete his or her
5 review of the model academic standards submitted by the board under par. (a). If,
6 within 60 days after the date on which the board submitted the standards under par.
7 (a), the legislative council staff has not received the proposed model academic
8 standards required under this subdivision, the legislative council staff shall forward
9 the model academic standards submitted by the board directly to the joint committee
10 for review of administrative rules. If the joint committee for review of administrative
11 rules receives the standards under this subdivision, the joint committee shall
12 proceed as directed under subd. 4.

13 2. Within 20 days after receiving the proposed model academic standards under
14 subd. 1., legislative council staff shall review the proposed model academic
15 standards in the manner established under s. 227.15 (2), and shall submit, in
16 writing, comments concerning the standards to the state superintendent. The
17 legislative council staff shall include a link to the proposed model academic
18 standards on the Internet site maintained as required under s. 227.15 (1m), together
19 with the information required under that subsection.

20 3. Within 10 days after receiving comments from legislative council staff under
21 subd. 2., the state superintendent shall submit any response to the comments,
22 together with the proposed model academic standards, to the joint committee for
23 review of administrative rules.

1 4. Within 30 days after receiving the proposed model academic standards under
2 subd. 3., the joint committee for review of administrative rules shall either approve
3 the proposed model academic standards or object to the proposed standards.

4 5. a. If the joint committee for review of administrative rules approves the
5 model academic standards submitted under subd. 3., the state superintendent shall
6 proceed under subd. 6.

7 b. If the joint committee for review of administrative rules objects to the
8 proposed model academic standards submitted under subd. 3., the joint committee
9 for review of administrative rules shall prepare the model academic standards as a
10 bill and introduce the bill in each house as provided under s. 227.19 (5) (e) to (g) and
11 (6) (b), except that upon the introduction of the bills under s. 227.19 (5) (e), the
12 presiding officer of each house of the legislature shall not refer the bills to the
13 appropriate committee in that house as directed under s. 227.19 (6) (b), but shall
14 place the bill introduced in that house on the calendar of that house according to its
15 rule governing the placement of proposals on the calendar.

16 6. The state superintendent shall adopt as final the model academic standards
17 approved under subd. 5. a. or enacted under subd. 5. b., except the state
18 superintendent may not adopt the proposed model academic standards submitted
19 under subd. 3. and not approved under subd. 5. a. until a bill introduced under subd.
20 5. b. and s. 227.19 (5) (e) fails to be enacted within the timeframes specified in s.
21 227.19 (5) (e) and (f).

22 (3) (a) No later than 36 months after the effective date of this paragraph
23 [LRB inserts date], the model academic standards board, through a subcommittee
24 established under s. 15.375 (1) (b), shall submit to the state superintendent
25 and to the legislative council staff recommended model academic standards in the following subject areas:

1 1. Science.

2 2. Social studies.

3 (b) The state superintendent shall initiate the procedure under sub. (2) (b) for
4 the review, consideration, and adoption of the model academic standards submitted
5 under par. (a).

6 (4) (a) The model academic standards board may submit to the state
7 superintendent recommended model academic standards in the following subject
8 areas:

9 1. Fine arts.

10 2. Health.

11 3. World languages.

12 4. Career and technical education.

13 5. Other subject areas identified by the board as warranting standardization.

14 (b) 1. The state superintendent shall initiate the procedure under sub. (2) (b)
15 for the review, consideration, and adoption of any model academic standards
16 submitted under par. (a).

17 2. If the model academic standards board does not submit any recommended
18 model academic standards for the subject areas identified under par. (a), the state
19 superintendent may develop, adopt as final, and revise model academic standards
20 for those subject areas without following the procedure under sub. (2) (b).

21 (5) The model academic standards board, legislative council staff, state
22 superintendent, and joint committee for review of administrative rules shall, in
23 preparing, reviewing, modifying, and adopting the model academic standards
24 required under this section, do all of the following:

1 (a) Ensure that the model academic standards do not prescribe curricula to be
2 adopted by school boards.

3 (b) Ensure that the model academic standards establish, in a manner that is
4 clear to pupils, parents, and the general public, high expectations for the knowledge
5 and skills pupils must attain and master at each of the 12 grades.

6 **(6)** (a) The model academic standards board, through the subcommittees
7 established under s. 15.375 (1) (b), shall review and make recommendations for the
8 updating of the model academic standards required to be adopted under subs. (2) and
9 (3) and any model academic standards permitted to be recommended by the board,
10 recommended by the board, and adopted under sub. (4) at least once every 6 years.

11 (b) The state superintendent may periodically review and revise any standards
12 developed and adopted as final by the state superintendent under sub. (4) (b) 2.

13 (c) Each school board, operator of a charter school under s. 118.40 (2r), and
14 governing body of a private school participating in a program under s. 118.60 or
15 119.23 may adopt the pupil academic standards approved under this section to
16 supplement or replace the standards adopted under s. 118.30 (1g) (a).

17 **SECTION 5. Nonstatutory provisions.**

18 (1) Notwithstanding section 15.375 (1) of the statutes, as created by this act,
19 the initial members appointed to the model academic standards board under section
20 15.375 (1) of the statutes, as created by this act, shall be appointed as follows:

21 (a) One member appointed under section 15.375 (1) (a) 1. of the statutes, as
22 created by this act, shall be appointed for a term expiring on May 1, 2015, and 2
23 members shall be appointed for a term expiring on May 1, 2016.

24 (b) Two members under section 15.375 (1) (a) 2. of the statutes, as created by
25 this act, shall be appointed for a term expiring on May 1, 2015, 2 members shall be

1 appointed for a term expiring on May 1, 2016, and one member shall be appointed
2 for a term expiring on May 1, 2017.

3 (c) The member under section 15.375 (1) (a) 3. of the statutes, as created by this
4 act, shall be appointed for a term expiring on May 1, 2018.

5 (d) The member under section 15.375 (1) (a) 4. of the statutes, as created by this
6 act, shall be appointed for a term expiring on May 1, 2017.

7 (e) The member under section 15.375 (1) (a) 5. of the statutes, as created by this
8 act, shall be appointed for a term expiring on May 1, 2016.

9 (f) The member under section 15.375 (1) (a) 6. of the statutes, as created by this
10 act, shall be appointed for a term expiring on May 1, 2015.

11 (END)

Basford, Sarah

From: Hoelter, Jon - GOV <Jon.Hoelter@wisconsin.gov>
Sent: Thursday, February 06, 2014 5:17 PM
To: LRB.Legal
Subject: Draft Review: LRB -4080/1 Topic: Model Academic Standards

Please Jacket LRB -4080/1 for the ASSEMBLY.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-4080/1
TKK:kjf:jm

2013 BILL

1 AN ACT *to amend* 118.30 (1); and *to create* 15.07 (2) (fm), 15.375 (1) and 118.301
2 of the statutes; **relating to:** creating a model academic standards board.

Analysis by the Legislative Reference Bureau

MODEL ACADEMIC STANDARDS

The 2013-15 biennial budget act (2013 Wisconsin Act 20) prohibits the Department of Public Instruction (DPI) from taking any further action to implement the common core standards (educational standards developed for kindergarten to grade 12 by the Common Core State Standards Initiative) and from directing school districts to implement further standards until certain conditions have been satisfied. Act 20 provides that any common core standard adopted and implemented by DPI before July 1, 2013, remains in effect and requires DPI to adopt additional college and career readiness standards no later than July 1, 2014.

This bill requires DPI to adopt state standards only after those standards have been developed and approved by the Model Academic Standards Board.

MODEL ACADEMIC STANDARDS BOARD

The bill creates a Model Academic Standards Board (board) in DPI which comprises the following members: the state superintendent of public instruction, or his or her designee, who serves as cochairperson and who must appoint three members; five members appointed by the governor, one of whom is to serve as cochairperson; one member appointed by each of the senate majority and minority leaders; one member appointed by the speaker of the assembly; and one member appointed by the assembly minority leader. The members appointed by the state

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superintendent must include a school principal, a member of a school board, and one professor employed at an institution of higher education in this state. The members appointed by the governor must include one teacher employed by a public school, one teacher employed by a private school participating in a parental choice program, one superintendent of a school district, and one individual who is a parent of a pupil enrolled in a public school.

Under the bill, the board is charged with developing model academic standards in four discrete subject areas: 1) English, reading, and language arts; 2) mathematics and advanced mathematics; 3) science; and 4) social studies. To further this objective, the bill requires the board to appoint subject-specific subcommittees in the four subject areas.

The bill requires the board to submit proposed model academic standards in English, reading, and language arts and in mathematics and advanced mathematics to the state superintendent within 12 months of the enactment of the bill. The bill requires the board to submit proposed model academic standards in science and social studies to the state superintendent within 36 months of the enactment of the bill. In addition, the bill permits, but does not require, the board to submit to the state superintendent proposed model academic standards in additional subject areas, including fine arts and career and technical education.

Under the bill, after the board has submitted its proposed model academic standards to the state superintendent, the state superintendent must, taking into consideration the academic standards submitted by the board, submit its own proposed model academic standards first to the legislative council staff for review and comment and then to the Joint Committee for Review of Administrative Rules (JCRAR). JCRAR must either approve the proposed model academic standards or object to the proposed standards. If JCRAR approves the model academic standards, the state superintendent must adopt the model academic standards. If JCRAR objects to the proposed model academic standards, JCRAR must prepare the proposed model academic standards submitted by the board for introduction in both the senate and assembly.

The bill also requires the board to review and update each model academic standard at least once every six years. Finally, the bill requires the board, together with legislative council staff, the state superintendent, and JCRAR to: 1) ensure that the model academic standards do not prescribe curricula to be adopted by school boards; and 2) ensure that the standards establish, in a manner that is clear to pupils, parents, and the general public, high expectations for the knowledge and skills pupils must attain and master at each of the 12 grades.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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1 15.07 (2) (fm) The state superintendent of public instruction or his or her
2 designated representative and one individual appointed under s. 15.375 (1) (a) 2.
3 shall serve as cochairpersons of the model academic standards board.

4 **SECTION 2.** 15.375 (1) of the statutes is created to read:

5 15.375 (1) MODEL ACADEMIC STANDARDS BOARD. (a) There is created a model
6 academic standards board, attached to the department of public instruction under
7 s. 15.03, to make recommendations for and to review and revise or replace model
8 academic standards. The board consists of the following members appointed for
9 staggered 3-year terms:

10 1. The state superintendent of public instruction, or his or her designee, who
11 shall serve as a cochairperson of the board and who shall appoint the following 3
12 members:

13 a. One school principal.

14 b. One member of a school board.

15 c. One professor employed at an institution of higher education in this state.

16 2. The following 5 members appointed by the governor:

17 a. One individual who shall serve as a cochairperson of the board.

18 b. One teacher employed by a public school.

19 c. One teacher employed by a private school participating in a program under
20 s. 118.60 or 119.23.

21 d. One superintendent of a school district.

22 e. One individual who is a parent of a pupil enrolled in a public school.

23 3. One individual appointed by the senate majority leader, who need not be a
24 member of the senate.

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1 4. One individual appointed by the senate minority leader, who need not be a
2 member of the senate.

3 5. One individual appointed by the speaker of the assembly, who need not be
4 a member of the assembly.

5 6. One individual appointed by the assembly minority leader, who need not be
6 a member of the assembly.

7 (b) The board shall appoint subject-specific subcommittees to review, make
8 recommendations for, and propose revisions to the model academic standards
9 required under s. 118.301 (2) and (3). Each subcommittee shall consist of the
10 following members:

11 1. One individual appointed by the state superintendent who shall serve as a
12 cochairperson of the subcommittee with the individual appointed under subd. 2. The
13 individual appointed under this subdivision shall prepare a list containing the
14 names of not more than 5 persons for consideration by the board as provided under
15 subd. 3. a.

16 2. One individual appointed by the governor who shall serve as a cochairperson
17 of the subcommittee with the person appointed under subd. 1. The individual
18 appointed under this subdivision shall prepare a list containing the names of not
19 more than 5 persons for consideration by the board as provided under subd. 3. b.

20 3. The following five individuals:

21 a. Two individuals selected from the list under subd. 1.

22 b. Three individuals selected from the list under subd. 2.

23 (c) The board may appoint up to 4 additional nonvoting members to each
24 subject-specific subcommittee established under par. (b). The members appointed
25 under this paragraph shall have professional training and expertise in the particular

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1 subject matter of the model academic standards subcommittee on which the
2 individual serves.

3 **SECTION 3.** 118.30 (1) of the statutes, as affected by 2013 Wisconsin Act 20, is
4 amended to read:

5 118.30 (1) The state superintendent shall adopt or approve examinations
6 designed to measure pupil attainment of knowledge and concepts in the 4th, 8th, 9th,
7 10th, and 11th grades. The examinations adopted or approved to measure pupil
8 attainment of knowledge and concepts in English, reading, and language arts;
9 mathematics and advanced mathematics; science; and social studies shall be aligned
10 with the standards adopted under s. 118.301 (2) and (3).

11 **SECTION 4.** 118.301 of the statutes is created to read:

12 **118.301 Model academic standards.** (1) The legislature finds that the state
13 of Wisconsin has the sole authority to adopt model academic standards. The
14 legislature shall oppose any efforts by the federal government to coerce this state and
15 the school boards of the school districts of this state into adopting any specific set of
16 academic standards.

17 (2) (a) No later than 12 months after the effective date of this paragraph
18 [LRB inserts date], the model academic standards board, through a subcommittee
19 established under s. 15.375 (1) (b), shall submit to the state superintendent and to
20 the legislative council staff recommended model academic standards in the following
21 subject areas:

22 1. English, reading, and language arts.

23 2. Mathematics and advanced mathematics.

24 (b) 1. Within 30 days after receiving the recommended model academic
25 standards under par. (a), the state superintendent shall, taking into consideration

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1 the recommendations of the model academic standards board, submit proposed
2 model academic standards in the subject areas identified under par. (a) 1. and 2. to
3 legislative council staff for review and comment. The state superintendent may
4 request from the legislative council staff one 30-day extension to complete his or her
5 review of the model academic standards submitted by the board under par. (a). If,
6 within 60 days after the date on which the board submitted the standards under par.
7 (a), the legislative council staff has not received the proposed model academic
8 standards required under this subdivision, the legislative council staff shall forward
9 the model academic standards submitted by the board directly to the joint committee
10 for review of administrative rules. If the joint committee for review of administrative
11 rules receives the standards under this subdivision, the joint committee shall
12 proceed as directed under subd. 4.

13 2. Within 20 days after receiving the proposed model academic standards under
14 subd. 1., legislative council staff shall review the proposed model academic
15 standards in the manner established under s. 227.15 (2), and shall submit, in
16 writing, comments concerning the standards to the state superintendent. The
17 legislative council staff shall include a link to the proposed model academic
18 standards on the Internet site maintained as required under s. 227.15 (1m), together
19 with the information required under that subsection.

20 3. Within 10 days after receiving comments from legislative council staff under
21 subd. 2., the state superintendent shall submit any response to the comments,
22 together with the proposed model academic standards, to the joint committee for
23 review of administrative rules.

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1 4. Within 30 days after receiving the proposed model academic standards under
2 subd. 3., the joint committee for review of administrative rules shall either approve
3 the proposed model academic standards or object to the proposed standards.

4 5. a. If the joint committee for review of administrative rules approves the
5 model academic standards submitted under subd. 3., the state superintendent shall
6 proceed under subd. 6.

7 b. If the joint committee for review of administrative rules objects to the
8 proposed model academic standards submitted under subd. 3., the joint committee
9 for review of administrative rules shall prepare the model academic standards
10 submitted by the model academic standards board under par. (a) as a bill and
11 introduce the bill in each house as provided under s. 227.19 (5) (e) to (g) and (6) (b),
12 except that upon the introduction of the bills under s. 227.19 (5) (e), the presiding
13 officer of each house of the legislature shall not refer the bills to the appropriate
14 committee in that house as directed under s. 227.19 (6) (b), but shall place the bill
15 introduced in that house on the calendar of that house according to its rule governing
16 the placement of proposals on the calendar.

17 6. The state superintendent shall adopt as final the model academic standards
18 approved under subd. 5. a. or enacted under subd. 5. b., except the state
19 superintendent may not adopt the proposed model academic standards submitted
20 under subd. 3. and not approved under subd. 5. a. until a bill introduced under subd.
21 5. b. and s. 227.19 (5) (e) fails to be enacted within the timeframes specified in s.
22 227.19 (5) (e) and (f).

23 (3) (a) No later than 36 months after the effective date of this paragraph
24 [LRB inserts date], the model academic standards board, through a subcommittee
25 established under s. 15.375 (1) (b), shall submit to the state superintendent and to

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1 the legislative council staff recommended model academic standards in the following
2 subject areas:

3 1. Science.

4 2. Social studies.

5 (b) The state superintendent shall initiate the procedure under sub. (2) (b) for
6 the review, consideration, and adoption of the model academic standards submitted
7 under par. (a).

8 (4) (a) The model academic standards board may submit to the state
9 superintendent recommended model academic standards in the following subject
10 areas:

11 1. Fine arts.

12 2. Health.

13 3. World languages.

14 4. Career and technical education.

15 5. Other subject areas identified by the board as warranting standardization.

16 (b) 1. The state superintendent shall initiate the procedure under sub. (2) (b)
17 for the review, consideration, and adoption of any model academic standards
18 submitted under par. (a).

19 2. If the model academic standards board does not submit any recommended
20 model academic standards for the subject areas identified under par. (a), the state
21 superintendent may develop, adopt as final, and revise model academic standards
22 for those subject areas without following the procedure under sub. (2) (b).

23 (5) The model academic standards board, legislative council staff, state
24 superintendent, and joint committee for review of administrative rules shall, in

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1 preparing, reviewing, modifying, and adopting the model academic standards
2 required under this section, do all of the following:

3 (a) Ensure that the model academic standards do not prescribe curricula to be
4 adopted by school boards.

5 (b) Ensure that the model academic standards establish, in a manner that is
6 clear to pupils, parents, and the general public, high expectations for the knowledge
7 and skills pupils must attain and master at each of the 12 grades.

8 (6) (a) The model academic standards board, through the subcommittees
9 established under s. 15.375 (1) (b), shall review and make recommendations for the
10 updating of the model academic standards required to be adopted under subs. (2) and
11 (3) and any model academic standards permitted to be recommended by the board,
12 recommended by the board, and adopted under sub. (4) at least once every 6 years.

13 (b) The state superintendent may periodically review and revise any standards
14 developed and adopted as final by the state superintendent under sub. (4) (b) 2.

15 (c) Each school board, operator of a charter school under s. 118.40 (2r), and
16 governing body of a private school participating in a program under s. 118.60 or
17 119.23 may adopt the pupil academic standards approved under this section to
18 supplement or replace the standards adopted under s. 118.30 (1g) (a).

19 **SECTION 5. Nonstatutory provisions.**

20 (1) Notwithstanding section 15.375 (1) of the statutes, as created by this act,
21 the initial members appointed to the model academic standards board under section
22 15.375 (1) of the statutes, as created by this act, shall be appointed as follows:

23 (a) One member appointed under section 15.375 (1) (a) 1. of the statutes, as
24 created by this act, shall be appointed for a term expiring on May 1, 2015, and 2
25 members shall be appointed for a term expiring on May 1, 2016.

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(b) Two members under section 15.375 (1) (a) 2. of the statutes, as created by this act, shall be appointed for a term expiring on May 1, 2015, 2 members shall be appointed for a term expiring on May 1, 2016, and one member shall be appointed for a term expiring on May 1, 2017.

(c) The member under section 15.375 (1) (a) 3. of the statutes, as created by this act, shall be appointed for a term expiring on May 1, 2018.

(d) The member under section 15.375 (1) (a) 4. of the statutes, as created by this act, shall be appointed for a term expiring on May 1, 2017.

(e) The member under section 15.375 (1) (a) 5. of the statutes, as created by this act, shall be appointed for a term expiring on May 1, 2016.

(f) The member under section 15.375 (1) (a) 6. of the statutes, as created by this act, shall be appointed for a term expiring on May 1, 2015.

(END)